

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

JOSE GARCIA,

Plaintiff,

v.

RALPH BATTLE, Warden

Defendant.

:
:
:
:
:
:
:
:

Case No.: 5:08-cv-309 (CAR)

***ORDER ON THE UNITED STATES MAGISTRATE JUDGE'S ORDER AND
RECOMMENDATION***

Before the Court are the United States Magistrate Judge's Recommendations [Docs. 30 and 31] to grant Defendant Battle's Motion to Dismiss and deny Plaintiff's motions seeking dismissal and court-appointed counsel. Plaintiff has not filed an objection to either Recommendation. Having considered the matter, the Court agrees with the Recommendations. In accordance with the Recommendations, Defendant's Motion to Dismiss [Doc. 21] is GRANTED; Plaintiff's motion seeking dismissal [Doc. 24] is DENIED; and Plaintiff's motion seeking court-appointed counsel [Doc. 28] is DENIED AS MOOT . Accordingly, the Recommendations are **HEREBY ADOPTED AND MADE THE ORDERS OF THE COURT.**

SO ORDERED, this 21st day of January, 2010.

S/ C. Ashley Royal

C. ASHLEY ROYAL

UNITED STATES DISTRICT JUDGE

SSH